



# Howard Planning and Zoning Minutes



## MINUTES HOWARD COUNTY VARIANCE BOARD OF ADJUSTMENT June 18, 2014

A meeting of the Howard County Variance Board of Adjustment was convened in open and public session on the 18<sup>th</sup> day of June, 2014 in the Assembly Room of the Howard County Courthouse, St. Paul, Nebraska.

Chairman Mike Nelson called the meeting to order at 7:17 p.m. Roll call showed 4 members present: Mike Nelson, Janet Thomsen, Gary Craig, and Terry Spilinek. Those absent were Fred Meyer and alternate Clare Kurz. Chairman Nelson stated there was a quorum of members present and the meeting would commence. Also present were Cherri Klinginsmith, Howard County Zoning Administrator, Molly Tebo, Secretary, Julia Wright, Lesley Dugan, Rose Dixon, and Myron Perrel.

Zoning Administrator, Klinginsmith read the notice of the public meeting. An Affidavit was presented from the Phonograph-Herald dated the 4<sup>th</sup> day of June 2014 that this notice was published 10 days prior to the meeting. A proof of publication is filed in the Howard County Clerk's office.

The agenda and minutes were e-mailed to the Variance Board of Adjustment members prior to the meeting. A motion was made by Gary Craig and seconded by Janet Thomsen to approve the minutes of the February 19, 2014 meeting. The motion carried on unanimous voice vote.

At 7:25 p.m. the public hearing on TLC Livestock, LLC Variance Application to allow for a six (6) months reprieve of the Class I Feedlot regulations to maintain 501 AU or 752 hogs in the SW ¼ of Section 8, Township 13N, Range 9W of the 6<sup>th</sup> P.M. in Howard County was open. Lesley Dugan, TLC Livestock, LLC, stated that in November 2013, Julia Wright shipped out hogs. On January 31, 2014, Ms. Wright had shoulder surgery and was not able to acquire hogs. She recently found out she needs to have foot surgery which will require 12 weeks of recuperation. Ms. Wright is approaching the 6 month period of not having any livestock and is in jeopardy of losing her Class I odor footprint. For health reasons, Ms. Wright is requesting a reprieve for the remainder of 2014 to not have to meet the requirement. Mike Nelson asked if someone else could operate the business while Ms. Wright was incapacitated and she stated they did not have the cash flow to hire someone else. Janet Thomsen asked Ms. Wright when she would receive hogs and Julia stated it would probably be April 2015. Myron Perrel spoke during the hearing. He is a neighbor and wants to build a house; however he is within Ms. Wright's odor footprint. He asked how many extensions TLC Livestock would be granted as that will determine what action he will have to take next in order to build.

Gary Craig made a motion that the application for a variance be approved to allow for a reprieve of the Class I regulations for calendar year 2014. This will be allowed as a one-time variance. Terry Spilinek seconded the motion and the motion carried 4-0. A Finding of Fact was completed (copy attached).

At 7:50 p.m. Gary Craig made a motion to adjourn the meeting and Terry Spilinek seconded the motion. The motion carried by unanimous voice vote.